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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mall Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/494,253
Filing Date	January 31, 2000
First Named Inventor	Osamu YAMADA, et al.
Art Unit	2624
Examiner Name	TRAN, Douglas Q.
Attorney Docket Number	044239-0066

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Education (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

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a. Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on MAY 16 2005

ii. Other Received an Office Action in the foreign counterpart case which cited a reference which we believe to be material to the patentability of the application and would like it to be considered into record.

b. Enclosed

i. <input type="checkbox"/> Amendment/Reply	iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)	iv. <input type="checkbox"/> Other _____

OFFICE OF PETITION

2. Miscellaneous

a. Suspension of action of the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500417. I have enclosed a duplicate copy of this sheet.

- i. RCE fee required under 37 CFR 1.17(e) \$790
- ii. Extension of time fee (37 CFR 1.13d and 1.17)
- iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>Howard J. Lewis</u>	Date	5/16/05
Name (Print/Type)		Registration No.	34-523

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature _____
Name(Print/Type) _____ **Date** _____

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

McDermott
Will & Emery

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Date: May 16, 2005

Time Sent:

To:	Company:	Facsimile No:	Telephone No:
Petitions Branch	U.S. Patent & Trademark Office	571.273.0025	571.272.3282
From:	Edward J. Wise	<i>Direct Phone:</i>	202.756.8628
<i>E-Mail:</i>	ewise@mwe.com	<i>Direct Fax:</i>	202.756.8087
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<i>Client/Matter/Tkpr:</i>	44239-066	<i>Original to Follow by Mail:</i>	No
		<i>Number of Pages, Including Cover:</i>	17

Re: Attached is a Petition from Withdrawal from Issue (37 CFR 1.313), RCE, Information Disclosure Statement, PTO-1449 with Japanese Office Action, English Abstract and JP 10-262141.

Message:

Dear Sirs:

Please expedite the attached filing and confirm receipt of same.

Thank-you.

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